



City Council Agenda

Council President
Henry Perea

Councilmembers

Tom Boyajian
Brian Calhoun
Brad Castillo

Jerry Duncan
Sal Quintero
Daniel Ronquillo, Acting President

Interim City Manager
Andrew T. Souza

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, MARCH 6, 2001

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M. **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of February 27, 2001

Action Taken:

GENERAL CONSENT CALENDAR

- A.** Consider approval of the Annual Report of the Redevelopment Agency of the City of Fresno for Fiscal Year 1999-2000 (*Council action*)

Action Taken:

AGENCY GENERAL ADMINISTRATION

- B.** Request City Manager to direct staff to prepare necessary documents to remove City liens in the amount of \$30,174.82 from the Lincoln Heights Property (*Council and Agency action*)

Action Taken:

AGENCY GENERAL ADMINISTRATION CONTINUED

- C. Request City Manager to direct staff to allocate \$250,000 from HOME Investment Partnerships Program Funds FY 2001-2002 budget, to assist in the development of affordable housing for the Lincoln Heights a.k.a. Casas San Miguel or Tall Trees. Staff to return to Council on April 17, 2001, contingent upon receipt of all support documents, e.g. appropriate budget and letter of commitment, etc., related to the project provided to the City with necessary items for approval (*Council and Agency action*) - Acting President Ronquillo
Action Taken:

ADJOURN

9:00 A.M. COUNCIL ROLL CALL

Invocation

Pledge of Allegiance to the Flag

Presentation of the Latent Print Pins by Police Chief Winchester

Presentation of Certificates to the Roosevelt High School Soccer Team for Winning the Valley Championship - Councilmember Quintero

Presentation of Certificates to Student of the Quarter - Council President Perea

Presentation of Resolution relating to Sister City at Verona - Council President Perea

COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

Approve Council minutes of February 27, 2001

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS
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9:50 A.M. Appearance by Harlan Kelly to discuss Dan's Green Recycling, Yaweh Recycling & Weaver Recycling and discuss M-1 zoning being changed to conform with GNRA and the industrial park

Action Taken:

10:00 A.M. **TEFRA HEARING** as required by Section 147(F) of the Internal Revenue Code of 1986 to hear and consider information concerning the proposed issuance of City of Fresno Multifamily Housing Revenue Bonds to finance the acquisition and rehabilitation of a Multifamily Housing Project (The Californian)

a. RESOLUTION - Approving the issuance of bonds by the City of Fresno to finance the acquisition and rehabilitation of a Multifamily Residential Rental Project

10:15 A.M. **HEARING** to consider Rezoning Application No. R-00-050 and environmental findings, filed by Gary Giannetta for Sequoia-Fresno Joint Venture, for approximately 8 acres, located at 600-700 E. Nees Avenue

Action Taken:

a. Consider and adopt the Categorical Exemption for Environmental Assessment No. R-00-50, dated February 14, 2001

Action Taken:

b. BILL - Amending the Official Zone Map to rezone property from the C-1/CZ with conditions zone district to the C-1/CZ with modified conditions zone district

Action Taken:

10:30 A.M. **HEARING** to consider a resolution of public use and necessity for acquisition of easements on six (6) properties at the intersection of Shaw and Blackstone Avenues

Action Taken:

a. * RESOLUTION - Determining that public interest and necessity require the acquisition of right of way easements for the reconstruction of the intersection at Shaw and Blackstone Avenues, and that the acquisition of easement are necessary for the project (***Requires 5 affirmative votes***)

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED
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10:45 A.M. HEARING to consider Plan Amendment No. A-00-10, Conditional Use Permit No. C-00-173, and Text Amendment No. TA-00-06 and environmental findings, filed by St. Agnes Medical Center, for a six-story expansion to the St. Agnes Medical Center on 32.17 acres, located on the south side of E. Herndon Avenue, between N. First Street and N. Millbrook Avenue

Action Taken:

- a. Consider and adopt the Negative Declaration for Environmental Assessment No. A-00-10, C-00-173, TA-00-06, dated December 28, 2000

Action Taken:

- b. **RESOLUTION** - Amending the High Rise Policy of the 1984 Fresno General Plan

Action Taken:

- c. * **BILL NO. B-22 (Intro. 2/27/01)** - Consider Text Amendment No. TA-00-06 to the text of the Fresno Municipal Code and related environmental findings, proposing to change the language of Sections 12-321-A and 12-321-B related to mid-rise and high-rise buildings to match the language of a concurrent amendment to the 1984 Fresno General Plan - Development Department

Action Taken:

- d. **RESOLUTION** - Approving Conditional Use Permit No. C-00-173 for a six-story hospital addition

Action Taken:

11:00 A.M. HEARING to consider Plan Amendment Application No. A-00-18, Rezoning Application No. R-00-35 and environmental findings, filed by Mosed Omar, for .13 acre of property located at the southeast corner of E. Butler Avenue and S. Eighth Street (3804 E. Butler Avenue)

Action Taken:

- a. Consider and adopt Environmental Assessment No. A-00-18, R-00-35, Mitigated Negative Declaration, dated November 24, 2000

Action Taken:

- b. **RESOLUTION** - Amending the Roosevelt Community Plan
- c. **BILL** - Amending the Official Zone Map to rezone property from the R-1 zone district to the C-5/CZ zone district

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED
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11:15 A.M. HEARING to consider Rezoning Application R-00-051 and environmental findings, filed by Gary Giannetta, for 3.42 acres of property located at 255 W. El Paso Avenue, west of N. Blackstone Avenue

Action Taken:

- a. Consider and adopt Environmental Assessment No. R-00-51, Categorical Exemption, dated January 25, 2001

Action Taken:

- b. **BILL** - Amending the Official Zone Map to rezone property from the C-M/CZ zone district to the C-M zone district

Action Taken:

11:30 A.M. Discussion/action giving the Council flexibility on City Manager salary - Council President Perea

- a. **RESOLUTION** - 14th Amendment to Salary Resolution No. 2000-186 relating to the City Manager salary

Action Taken:

2:00 P.M.

CLOSED SESSION

- A. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** - Government Code Section 54957

Title: City Attorney

Action Taken:

- B. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Government Code Section 54956.9, Subdivision (b)

Significant Exposure to Litigation:

1. **Case Name:** Claim of Nancy A. Gawor
2. **Case Name:** Claim of Ronald McClain
3. **Case Name:** Claim of Orlando Jefferson

Action Taken:

- C. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - DECIDING WHETHER TO INITIATE LITIGATION** - Government Code Section 54956.9, Subdivision (c)

1. **Case Name:** City of Fresno v. United States Bureau of Water Reclamation, et al.

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:00 P.M.

CLOSED SESSION CONTINUED

D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Govt. Code Section 54956.9, Subdivision (a)

- 1. Case Name:** Graham Contractors, Inc. v. City of Fresno, et al.

Action Taken:

3:00 P.M.

Consider approval for a Council override vote for the designation of fuel path required under California Air Resource Board Transit Fleet Rule vetoed by Mayor Autry on February 12, 2001

(Council action to override Mayoral veto requires 5 affirmative votes) - Council President Perea

Action Taken:

1A.

GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED IMMEDIATELY FOLLOWING THE CONSENT CALENDAR ADOPTION)

- 1.** Authorize the Chief of Police to enter into an agreement with the California Department of Justice, Bureau of Justice Statistics to receive \$199,480 for the purpose of a pilot project to implement a National Incident Based Reporting System (NIBRS) - Police Department
Action Taken:
- 2. * RESOLUTION - 13th** amendment to Salary Resolution No. 2000-186 amending the salary range of box office assistant - Dept. of Admin. Services/Human Resources Division
Action Taken:
- 3.** Award a contract for installation of 12" and 8" water mains and communication cable at Fresno Chaffee Zoo - Dept. of Admin. Services/Purchasing Division
Action Taken:
- 4.** Approve appointment of Edward F. Kowalczyk to the Commission on the Status of Women and Pat Barr to the Human Relation Commission (***For adoption***) - Councilmember Calhoun
Action Taken:
- 5.** Proposed appointment of Elisabet Espaillat Garcia to the Human Relations Commission (***For introduction***) - Councilmember Castillo
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. **GENERAL CONSENT CALENDAR CONTINUED**

6. * **RESOLUTION** - 106th amendment to AAR No. 2000-183 appropriating \$1,000 of District 5's general fund infrastructure to sponsor the Fresno Barrios Unidos "Friday Night Fiesta" -
(*Requires 5 affirmative votes*) - Councilmember Quintero
Action Taken:

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

1C. **CONSENT CALENDAR - BILL FOR ADOPTION - BLUE TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Approve appointment of Billy Carter to the Fresno-Madera Area Agency on Aging Board (*For adoption*) - Mayor Autry
Action Taken:

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Determination to hold a public hearing to review the Fresno City Planning Commission's action on Conditional Use Permit Application No. C-00-246 filed by Ahmad Lari to authorize the operation of a used car lot on the northwest corner of W. Shaw Avenue and Freeway 99 - Councilmember Calhoun
Action Taken:
- B. Report/direction on co-generation - Council President Perea and Councilmember Duncan
Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Mar. 13- BUDGET WORKSHOP

Mar. 13- 10:30 A.M. HEARING re: Council approval on a 4-story mid-rise building for Fresno Heart Hospital

Mar. 20 - 10:00 A.M. Adopt Weed Abatement Plan

Mar. 20 - 10:15 A.M. HEARING re: P.A. Appl. No. A-00-20, Rezone Appl. No. R-00-40 and CUP Appl. No. C-00-222, filed by Joel Hensley on behalf of Liberty Christian Fellowship

Mar. 20 - 10:30 A.M. CONTINUED HEARING to consider a resolution of public use and necessity for acquisition of easements on six (6) properties at the intersection of Shaw and Blackstone Avenues

Mar. 27 - 8:30 A.M. CONTINUED COUNCIL/RDA JOINT HEARING regarding proposed OPA and DDA betw. RDA and Lonzell and LaVera Williams, property located at northeasterly corner of Fresno and "A" Streets

Mar. 27 - 10:45 A.M. CONTINUED HEARING re: Rezone Appl. No. R-00-46, filed by National Farm Workers Service Center, Inc.

Mar. 27 - 4:45 P.M. Consider adoption of daytime curfew ordinance (Bill No. B-14)

Apr. 3 - 10:00 A.M. HEARING re: Rezone Appl. No. R-00-45, filed by Consolidated Industries, Inc., property located at the southeast corner of E. Perrin and N. Sommerville

Apr. 10 - NO MEETING - EASTER WEEK

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